

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Samuel W. Bent, et al.	Examiner:	Diem K. Cao
Serial No.:	10/692,316	Group Art Unit:	2194
Filed:	October 23, 2003	Docket No.:	50037.0193USII
Title:	SYSTEM AND METHOD FOR CONTROLLING USER INTERFACE PROPERTIES WITH DATA		

<i>Electronically Filed – December 15, 2008</i>

TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Petitioner, Microsoft Corporation, a corporation organized and existing under the laws of the State of Washington and having its primary place of business at One Microsoft Way, Redmond, Washington, in the county of King, and the state of Washington represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 10/692,316, filed on October 23, 2003 and entitled SYSTEM AND METHOD FOR CONTROLLING USER INTERFACE PROPERTIES WITH DATA, by virtue of our assignment recorded at Reel 014826, Frame(s) 0895. Attached herewith is a Certificate under 37 C.F.R. § 3.73(b) establishing Microsoft Corporation's right as assignee to take action.

Petitioner, Microsoft Corporation, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S. Patent Appl. No. 10/440,081 and hereby agrees that any patent so granted on the above-identified application (No. 10/692,316) shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Appl. No. 10/440,081, this agreement to

run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent Appl. No. 10/440,081, in the event that U.S. Patent Appl. No. 10/440,081 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

For submissions on behalf of an organization (e.g. corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

P.O. Box 2903
Minneapolis, MN 55402-0903
206.342.6254

Respectfully submitted,
MERCHANT & GOULD P.C.



Timothy P. Sullivan
Reg. No. 47,981
Attorneys for Petitioner

27488

PATENT TRADEMARK OFFICE